

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THOMAS PETOFF,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:18-cv-156
)	
MICHAEL HOLMAN, et al.)	
)	
Defendants.)	

MEMORANDUM ORDER

This prisoner civil rights action was received by the Clerk of Court on May 29, 2018 and was originally referred to the undersigned, then a United States Magistrate Judge, for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and the Local Rules for Magistrate Judges. On January 17, 2019, the case was transferred to the undersigned in her current capacity as a United States District Judge and referred to United States Magistrate Judge Richard A. Lanzillo for all further pretrial proceedings.

On March 5, 2019, Judge Lanzillo issued a Magistrate Judge's Report and Recommendation ("R&R"), ECF No. [23], recommending that Plaintiff's motion for a preliminary injunction be denied. On March 22, 2019, Judge Lanzillo issued a second R&R, ECF No. [24], recommending that Defendants' motion to dismiss be granted and the complaint be dismissed with prejudice. No objections were filed within the time limits applicable to either R&R.

After *de novo* review of the Complaint and documents in the case, together with the aforementioned R&Rs, the following order is entered:

AND NOW, this 10th day of April, 2019;

IT IS HEREBY ORDERED that Plaintiff's motion for a preliminary injunction, ECF No. [22], is DENIED.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6), ECF No. [16], is GRANTED, and the Complaint is DISMISSED with prejudice.

The Reports and Recommendations of United States Magistrate Judge Richard Lanzillo, dated March 5, 2019 and March 22, 2019, ECF Nos. [23] and [24], are hereby adopted as the opinions of this Court.

As there are no further claims or matters pending in this case, the Clerk is directed to mark this case "CLOSED."

/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge

cc: Thomas Petoff
37150068
NEOCC
2240 Hubbard Road
Youngstown, OH 44505

The Honorable Richard A. Lanzillo
United States Magistrate Judge